

Exhibit AN



OPERATIONS ORDER

SUBJECT: **DESTRUCTION OF RECORDS**

DATE ISSUED:

12-18-12

NUMBER:

44

1. Section 1133 of the New York City Charter delineates New York City agency requirements regarding the maintenance and destruction of Department records. The importance of these records cannot be overstated as many of them pertain to criminal enforcement and prosecution, litigation against the Department or City, Freedom of Information Law requests, and other legal requirements. In addition, the records retained by the Department include uniformed and civilian member of the service employment and health records, and records that directly affect crime victims and aided persons. This is only a brief description of the scope, importance, and complexity of the Department's record retention duties and responsibilities. Suffice it to say that the timely, orderly, and efficient use of the Department's record retention system is essential for the good working order of the Department and of great benefit to the citizens we serve.

2. **Payroll Records** — The New York City Law Department, along with the City of New York Department of Records and Information Services (DORIS), has approved destruction schedules for Department records. Commands may now destroy the records listed herein. It is important to note that the Law Department has placed a **DO NOT DESTROY** order on several payroll-related records (see Appendix "A"). **THESE RECORDS MAY NOT BE DESTROYED UNTIL APPROVAL HAS BEEN GRANTED BY THE LAW DEPARTMENT.**

3. **September 11, 2001, Documents** — Additionally, all records pertaining to member of the service assignments (i.e., **ROLL CALLS**, Command Logs, etc.), both on September 11, 2001, and any subsequent assignments related to the World Trade Center terrorist attack, are exempt from destruction and are to be identified and retained indefinitely by all commands. If there are any questions regarding these records contact the Records Management Unit at (646) 610-5175.

4. **Document Destruction (Shredding)** — To provide a more efficient means by which commands can destroy Department records, the Department has available for use an industrial shredder truck. The shredder truck is capable of shredding large quantities of paper goods (e.g., files, boxes, Command Logs, etc.) and is available for on-site document destruction.

To schedule an appointment for the Department shredder truck, contact the Quartermaster Section at (718) 476-7562, extension 220, between 0700 and 1500 hours, Monday through Friday. Command personnel are responsible for bringing the records to be destroyed out to the shredder truck location (i.e., curbside) and to remove any debris that is not shredded in the truck.

When the destruction is completed, a report (see Appendix "B" - may be photocopied and utilized) indicating where records were disposed, the type of records disposed, the date(s) disposed, and the rank(s) and name(s) of the member(s) of the service witnessing the disposal shall be forwarded, **WITHIN TEN DAYS OF THE DISPOSAL**, to the Commanding Officer, Office of Management Analysis and Planning, Attn: Records Management Unit.

5. All commands continue to have the option to utilize the record destruction services of Pratt Industries if the Department shredder truck is not available. Pratt Industries is located at 4435 Victory Boulevard, Staten Island, New York 10314, office telephone (718) 370-8722.

- a. Pratt Industries USA, is the ONLY non-department facility authorized for the destruction of Department records.
- b. To maintain the integrity of the destruction of records process, commanding officers will ensure that all records are transported in an enclosed Department vehicle, van or step van. Barrier trucks or any open style transportation vehicle will not be used.
- c. Members of the service are authorized to dispose of records twenty-four hours a day at Pratt Industries, except on Sundays or City holidays, as follows:
 - (1) Report to guard booth and have **IDENTIFICATION CARD (PD416-091)** available if not utilizing Department vehicle
 - (2) Proceed to scale. Vehicle will be weighed
 - (3) Proceed around facility to ramp leading up to disposal area
 - (4) Dump records into pit. This shall suffice as a "witness burial"
 - (5) Proceed back to scale for exit weight reading. Obtain receipt.

SMOKING IS STRICTLY PROHIBITED WHILE ON PRATT INDUSTRIES PROPERTY, INCLUDING INSIDE ANY VEHICLE WHILE ON PRATT INDUSTRIES PROPERTY.

6. The Records Management Unit of OMAP will immediately be contacted at (646) 610-5175, during business hours, should any problems or concerns arise and is available to answer any questions concerning the destruction of records or this Order.

7. When the destruction is completed, a report (Appendix "B" may be photocopied and utilized) indicating where records were disposed, the type of records disposed, the date(s) disposed, and the rank(s) and name(s) of the member(s) of the service witnessing the disposal; shall be forwarded to the Commanding Officer, Office of Management Analysis and Planning, Attn: Records Management Unit, **WITHIN TEN DAYS OF THE DISPOSAL**. A copy of any receipt from Pratt Industries **MUST** be attached to the report.

8. Commands located within Police Headquarters may continue to utilize the shredders installed at that location for records destruction, as specified in Operations Order 3, series 2001.

9. Commanding officers **MUST** arrange for the disposal of records as indicated above. Records of deactivated commands, authorized for destruction and now stored at other units, shall be disposed of by commanding officers concerned. An appropriate notation showing the records destroyed shall be made in the index of records required to be maintained by Administrative Guide procedure 322-05, "Opening, Closing and Storage of Department Records."

<u>TITLE OF RECORD</u>	<u>FOR YEAR UP TO AND INCLUDING</u>
ACTIVITY PROFILE (PD439-149)-----	2007
AIDED AND ACCIDENT INDEX (PD304-101)-----	2003
Arrest folders for individual officers-----	2000
COMMAND LOG (Police Blotter) * Must retain 50 years after closing-----	1960
Command Post (Temporary Headquarters) Log-----	2000
Communication Record and related files-----	2005
COMPLAINT FOLLOW-UP (PD313-081), and COMPLAINT INDEX (PD313-141)-----	2005
Community Policing Unit Beat Book Forms-----	2008
Correspondence and Reports File (refer to Administrative Guide procedure 322-13) (<u>ALL</u> items <u>EXCEPT</u> incomplete SUMMONS BOOK DISTRIBUTION CARD (PD160-141) and effective Department Orders)-----	2004
DEPARTMENT DIRECTIVES:	
DEPARTMENT BULLETINS	
Mail and Distribution Unit-----	2005
Management Orders and Directives Section-----	Permanent Retention
All other commands-----	2009
BUREAU CHIEF MEMOS	
Mail and Distribution Unit-----	2005
All other commands-----	2009
	(Unless otherwise directed)
CHIEF OF DEPARTMENT MEMOS	
Strategic Analysis Section-----	2000
Mail and Distribution Unit-----	2005
All other commands-----	Retain for one year <u>AFTER</u> order officially revoked
INTERIM ORDERS	
Management Orders and Directives Section-----	Permanent Retention
Mail and Distribution Unit-----	Five years <u>AFTER</u> order revoked
Strategic Analysis Section-----	Ten years <u>AFTER</u> order revoked
All other commands-----	One year <u>AFTER</u> order revoked
LEGAL BUREAU BULLETINS	
Legal Bureau-----	Permanent Retention
Mail and Distribution Unit-----	2005
All other commands-----	Permanent Retention
	(Retain in Command Reference Library)
OPERATIONS ORDERS	
Management Orders and Directives Section-----	Permanent Retention
Strategic Analysis Section-----	2000
Mail and Distribution Unit-----	2005
All other commands-----	2009
PERSONNEL ORDERS	
Personnel Orders Section-----	1989
Mail and Distribution Unit-----	2005
All other commands-----	2009

OPERATIONS ORDER NO. 44

<u>TITLE OF RECORD</u>	<u>FOR YEAR UP TO AND INCLUDING</u>
Diary-----	2007
EMERGENCY SERVICE REPORT (PD304-151)-----	2005
FINEST Messages (<u>EXCEPT</u> those maintained at the Office of Chief of Department and the Communications Division)-----	2008
FEE RECEIPT BOOK (PD122-017)-----	2004
HIGHWAY CONDITION RECORD (PD311-151)-----	2000
NOTICE OF UNNECESSARY ALARM (PD310-120)-----	2008
POLICE OFFICER'S MONTHLY PERFORMANCE REPORT (PD439-1414)-----	2008
PRISONER'S MEAL VOUCHER (PD144-051)-----	2008
PROPERTY INDEX (PD542-103)	
Precincts-----	2005
Borough Property Clerk Offices-----	2000
Property Receipt Book-----	2005
RADIO ASSIGNMENT LOG (PD647-141)-----	2009
WARRANT OFFICER'S REPORT OF INVESTIGATION (PD374-1510)-----	2008
ROLL CALL (PD406-144) (<u>BOTH</u> Desk and TS copy)-----	1998
ROLL CALL - ADMINISTRATIVE (PD406-146)-----	2007
ROTATION TOW LOG (PD571-1412)-----	2008
SICK REPORT RETURN (PD429-131)-----	2009
SPRINT Records (Sector Workload Summary and Exceptional Listing)-----	2009
Telephone Record Log-----	2005
TELEPHONE DISPATCH LOG (PD112-143)-----	2007
Summons:	
Moving Violation/Criminal Court-----	2008
Parking Violations-----	January through June 2010
STOP, QUESTION AND FRISK REPORT (PD 344-151A)-----	2000
COMMAND DISCIPLINE LOG (PD 468-102)-----	2005
Interrupted Patrol Log (closed)-----	2007
Minor Violation Log-----	2005
Detail Roster Assignment Sheet (PD 406-141 and PD 406-141A)-----	2008
PROPERTY LOG (PD 521-147)-----	2004
PRISONER ROSTER (PD 244-145)-----	2007
PRISONER HOLDING PEN ROSTER (PD 244-1410)-----	2007
MEDICAL TREATMENT OF PRISONERS (PD 244-150)-----	2000
Emergency Excusal Log (closed)-----	2005

9. Commanding officers will ensure that the contents of this Order are brought to the attention of the appropriate members of their commands.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION

All Commands

OPERATIONS ORDER NO. 44

APPENDIX "A"

Due to pending litigation, The New York City Law Department has placed a "do not destroy" order on select payroll records. Commands will be notified when the "do not destroy" order has been lifted.

THE FOLLOWING RECORDS MUST BE RETAINED:

EMPLOYEE LEAVE DETAILS REPORT (721)
EMPLOYEE LEAVE DETAILS REPORT (722)
COMPENSATORY AND OVERTIME EARNED (510)
ACCEPTED/REJECTED TRANSACTIONS (820 & 920 SERIES)
EMPLOYEE TIME REPORT LOG (ETR)
AGENCY SPECIFIC DATA (649)
PAYCHECK DISTRIBUTION CONTROL REPORT (319)
PAYROLL REGISTERS (320)
TIME AND LEAVE SUSPENSIONS (01 & 05)
NON-TIME AND LEAVE SUSPENSIONS (02 & 06)
LEAVE BALANCE EXCEPTION CONDITION (056)
PROJECTED GROSS ANNUAL SALARY (505)
EMPLOYEE ROSTER - PROVISIONALS BY TITLE CODE (693)
LEAVE BALANCE BY WORK UNIT (711)
WORK UNIT ROSTER (1050)
TIME SHEET STATUS REPORT (1100 & 1101)
BATCH TRANSMITTAL CONTROL SHEET (PD 138-153 COMMAND COPY)
ETR FOLDERS (Including contents such as payroll sheets, recaps, OT, night shift diff., etc.)

APPENDIX "B"
ALL INFORMATION MUST BE PRINTED LEGIBLY UNLESS OTHERWISE INDICATED
(PHOTOCOPY THIS FORM AS NECESSARY)

POLICE DEPARTMENT
CITY OF NEW YORK

DATE _____

From: _____

To: Commanding Officer, Office of Management Analysis and Planning
Attention: Records Management Unit

Subject: **RECORDS DISPOSED** BY DEPARTMENT SHREDDER TRUCK
AT PRATT INDUSTRIES, STATEN ISLAND, NY

1. In conformance with Operations Order 44, c.s. paragraph 7 (DESTRUCTION OF RECORDS), the following information is submitted regarding the destruction of Department records:

DATE OF DISPOSAL: _____ NO. OF BOXES DISPOSED: _____

TYPE (DESCRIPTION) OF RECORDS DISPOSED:

MEMBER(S) OF THE SERVICE CONDUCTING THE DISPOSAL (PRINT):

RANK	FIRST NAME	LAST NAME	CMD.	TAX NO.
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RANK	FIRST NAME	LAST NAME	CMD.	TAX NO.
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2. For your information

Rank/Signature/Tax No. _____

ANY RECEIPT FROM PRATT INDUSTRIES MUST BE ATTACHED TO THIS REPORT

OPERATIONS ORDER NO. 44